

REMARKS

I. Summary of Office Action

Claims 1-56 were pending in this application.

Claims 1, 6-11, 15, 20-25, 29, 34-39, 43, and 48-53 were finally rejected under 35 U.S.C. § 102(e) as being anticipated by Wugofski U.S. Patent No. 7,134,133 (hereinafter "Wugofski").

Claims 2-3, 5, 12-14, 16, 17, 19, 26-28, 30, 31, 33, 40-42, 44, 45, 47 and 54-56 were finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Wugofski in view of Schowtka U.S. Patent Publication No. 2005/0007382 A1 (hereinafter "Schowtka").

Claims 4, 18, 32, and 46 were finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Wugofski in view of Schowtka, in further view of Weinberger et al. Patent No. 7,028,304 (hereinafter "Weinberger").

II. Summary of Applicants' Reply

Independent claims 1, 15, 29, and 43 have been amended to more particularly define the claimed invention. Claims 57-60 have been added. The amended and new claims are fully supported by applicants' originally filed specification, for example, at least at ¶¶ 0167-0175, 0192-0197, and FIGS. 26-28. No new matter has been added.

The rejections of applicants' claims are respectfully traversed.

III. Applicants' Reply to the Prior Art Rejections

Claims 1, 6-11, 15, 20-25, 29, 34-39, 43, and 48-53 were finally rejected under 35 U.S.C. § 102(e) as being anticipated by Wugofski. Claims 2-3, 5, 12-14, 16, 17, 19, 26-

28, 30, 31, 33, 40-42, 44, 45, 47 and 54-56 were finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Wugofski in view of Schowtka. Claims 4, 18, 32, and 46 were finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Wugofski in view of Schowtka, in further view of Weinberger. These rejections are respectfully traversed.

Independent claims 1, 15, 29, and 43, as amended, are generally directed towards methods, systems, and computer-readable media for providing a media-on-demand display screen using an interactive television application implemented on user equipment. An interface template and at least one vendor-specific interface element associated with a media-on-demand vendor are retrieved. The at least one vendor-specific interface element is incorporated into the interface template. A media-on-demand display screen that is associated with the vendor is displayed in response to receiving a user request for media-on-demand content associated with the media-on-demand vendor. The display includes the interface template and the incorporated interface element.

A. Wugofski Fails to Show or Suggest a Media-on-Demand Display with an Interface Template and Incorporated Interface Element Associated With a Media-on-Demand Vendor

The Examiner contends that Wugofski shows the retrieval of at least one vendor-specific interface element "associated with a media-on-demand vendor" and the display of a "media-on-demand display screen . . . includ[ing] the interface template and the incorporated interface element," as recited by each of applicants' independent claims 1, 15, 29, and 43. Applicants respectfully disagree.

In the "Response to Arguments" section of the Office Action, the Examiner cites to various portions of Wugofski that

purportedly show interface elements associated with media-on-demand vendors and interface templates with these interface elements incorporated therein. See Office Action, pages 2-3. The Examiner also cites to portions of Wugofski that purportedly show the display of a "media-on-demand display screen" that is associated with the media-on-demand vendor, "wherein the display includes the interface template and the incorporated interface element." *Id.*

Contrary to the Examiner's contentions, none of the portions of Wugofski cited in the Office Action show these claimed features. For example, the Office Action first cites to col. 8, lines 7-36 of Wugofski and concludes "[t]he networks to which the pay-per-view information relates are vendors of pay-per-view programming, therefore they are media-on-demand vendors." Office Action, page 2. Applicants refute this characterization. Wugofski merely states that the service information APIs may include information for the various "networks, or broadcast stations, and services received by the system." Wugofski, col. 8, lines 12-18. Wugofski then goes on to state that its graphical user interface assets module may include additional information about these networks, stations, and services. See Wugofski, col. 8, lines 20-36.

Although Wugofski lists "pay-per-view information" as an example of the type of information that may be included in Wugofski's service information APIs or graphical user interface assets modules, Wugofski is silent as to support for media-on-demand interface elements and media-on-demand templates. Rather, Wugofski is clearly only directed to templates for broadcast channels and broadcast services. See Wugofski, Abstract ("A broadcast station broadcasts a template."); col. 7, lines 4-6 ("[t]he broadcast EPG template is the primary means for station broadcasters to manage their consumers' viewing.");

col. 8, lines 20-22 ("The user interface information . . . can each be uniquely configured with respect to each broadcast station."). Pay-per-view and broadcast information is surely different than applicants' claimed media-on-demand interface elements and media-on-demand display screens. Media-on-demand content is just that -- content that is requested by a user and delivered on-demand to the user equipment. In contrast, pay-per-view programming is typically broadcast on a predetermined schedule and at a predetermined time. The user must tune to a predetermined channel at the predetermined time in order to view the pay-per-view programming.

As applicants' specification makes clear, media-on-demand vendors are "typically distinct from the operator of the cable system, satellite system, broadcast system, or other television distribution facility from which users obtain their services." Specification, ¶ 0010. As also stated in applicants' specification, cable, satellite, and broadcast operators (usually referred to as multiple system operators or MSOs) generally already have their own opportunity to brand and select content. *Id.* With media-on-demand programming, however, the user may initiate the request for the media content and select the timing for any such request. In addition, media-on-demand vendors are typically distinct from the MSO. As such, media-on-demand vendors generally have less of an opportunity to brand or customize local interfaces displayed by the user equipment.

Applicants' claimed invention solves this problem by providing vendor-specific interface elements associated with a media-on-demand vendor. These vendor-specific interface elements are incorporated into an interface template and then displayed as part of a media-on-demand display screen. Wugofski fails to show or suggest this claimed subject matter. The

remaining prior art references of record fail to make up for this deficiency in Wugofski. As such, applicants submit that independent claims 1, 15, 29, and 43 are allowable over the prior art of record and the rejection of these claims should be withdrawn. The rejection of dependent claims 2-14, 16-28, 30-42, and 43-56, which contain all the limitations of one of independent claims 1, 15, 29, and 43, should also be withdrawn.

B. Even if Wugofski Showed Media-on-Demand Interface Elements and Display Screens Associated with a Media-on-Demand Vendor, None of the References Show Displaying Such a Display Screen in Response to a User Request for Media-on-Demand Content

Even though applicants disagree with the Examiner's characterization of Wugofski, in order to advance prosecution applicants have amended each of the independent claims to recite that the media-on-demand display screen is displayed "in response to receiving a user request for media-on-demand content associated with the at least one vendor." As described above, Wugofski is silent as to media-on-demand content and only describes pay-per-view content and pay services. There is no showing in Wugofski or any of the other prior art of record of displaying such a media-on-demand display including the interface template and the incorporated interface element in response to receiving a user request for media-on-demand content associated with the media-on-demand vendor.

For at least the foregoing reasons, applicants submit that independent claims 1, 15, 29, and 43 are allowable over the prior art of record and the rejection of these claims should be withdrawn. The rejection of dependent claims 2-14, 16-28, 30-42, and 43-56, which contain all the limitations of one of independent claims 1, 15, 29, and 43, should also be withdrawn.

III. New Claims 57-60

Applicants have added new claims 57-60. These claims further specify that the user request for media-on-demand content associated with the media-on-demand vendor comprises "receiving a user request to display a listing of the media-on-demand content associated with the media-on-demand vendor." As described above, because Wugofski is silent as to media-on-demand vendors, Wugofski does not show or suggest receiving a user request to display a listing of the media-on-demand content associated with the media-on-demand vendor and displaying a media-on-demand display screen including the interface template and incorporated interface elements in response to that user request.

For at least this additional reason, claims 57-60 are allowable over the prior art of record.

IV. Conclusion

Applicants respectfully submit that this application is in condition for allowance. Prompt consideration and allowance of this application are respectfully requested.

Respectfully submitted,

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